

WSR 06-12-103
DEPARTMENT OF ECOLOGY

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PUBLIC NOTICE

Issuance of the Concentrated Animal Feeding Operation (CAFO) General Permit

The department of ecology (ecology) has completed work on a general permit to cover concentrated animal feeding operations (CAFO). The old dairy general permit expired in March 2005. Ecology has revised the original draft permit to reflect changes from public comments provided during two comment periods and a federal court decision issued on February 12, 2005. Ecology is to issue a final permit on June 20, 2006. The title of the permit is "Concentrated Animal Feeding Operations (CAFO) National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit."

Purpose of the General Permit: The general permit covers discharges of wastewater from CAFOs to waters of Washington state. Under federal and state water quality law (federal Clean Water Act and state Water Pollution Control Act), a permit is required for the discharge of wastewater. The permit addresses these legal requirements and controls the discharge of pollutants to protect surface water and ground water quality in Washington state.

A general permit is used instead of a series of individual permits when the permitted facilities are similar. Individual facilities that receive coverage under the general permit are required to comply with the terms and conditions of the permit.

Requesting Copies of the Permit: You can request copies of the permit and fact sheet by contacting Kevin Hancock, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6283, fax (360) 407-6426, e-mail khan461@ecy.wa.gov.

The permit and fact sheet are also available online at www.ecy.wa.gov/programs/wq/permits/cafo.

Who would be covered by the permit? The permit covers all CAFOs who discharge or propose to discharge to waters of the state. The permit also covers any animal feeding operations (AFOs) who decide to get a permit. There are three types of CAFOs: Large CAFOs, medium CAFOs, and designated CAFOs.

Animal Feeding Operations (AFOs): Any AFO can choose to get a permit. A lot or facility is defined as an AFO if it meets these two conditions:

1. It has animals (other than aquatic animals) that have been, are, or will be stabled or confined and fed or maintained for a total of forty-five days or more in any twelve-month period.

2. Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility where animals are confined.

Large CAFOs: Large CAFOs who discharge or propose to discharge to waters of the state must get a permit. A lot or facility is defined as a large CAFO if it meets the following two conditions:

1. It is an AFO.

and

2. It stables or confines as many as or more than the number of animals specified in any of the following categories:

(i) 700 mature dairy cows, whether milked or dry;

(ii) 1,000 veal calves;

(iii) 1,000 cattle other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs;

(iv) 2,500 swine each weighing fifty-five pounds or more;

(v) 10,000 swine each weighing less than fifty-five pounds;

(vi) 500 horses;

(vii) 10,000 sheep or lambs;

(viii) 55,000 turkeys;

(ix) 30,000 laying hens or broilers, if the operation uses a liquid manure handling system;

(x) 125,000 chickens (other than laying hens), if the operation uses other than a liquid manure handling system;

(xi) 82,000 laying hens, if the operation uses other than a liquid manure handling system;

(xii) 30,000 ducks (if the operation uses other than a liquid manure handling system);
or

(xiii) 5,000 ducks (if the operation uses a liquid manure handling system).

Medium CAFOs: A lot or facility is defined as a medium CAFO if it is an AFO (see above) **and** also meets the following conditions:

1. It stables or confines the number of animals that falls within any of the following ranges:

(i) 200 to 699 mature dairy cows, whether milked or dry;

(ii) 300 to 999 veal calves;

(iii) 300 to 999 cattle other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs;

(iv) 750 to 2,499 swine each weighing fifty-five pounds or more;

(v) 3,000 to 9,999 swine each weighing less than fifty-five pounds;

(vi) 150 to 499 horses;

(vii) 3,000 to 9,999 sheep or lambs;

(viii) 16,500 to 54,999 turkeys;

(ix) 9,000 to 29,999 laying hens or broilers, if the operation uses a liquid manure handling system;

(x) 37,500 to 124,999 chickens (other than laying hens), if the operation uses other than a liquid manure handling system;

(xi) 25,000 to 81,999 laying hens, if the operation uses other than a liquid manure handling system;

(xii) 10,000 to 29,999 ducks (if the operation uses other than a liquid manure handling system); or

(xiii) 1,500 to 4,999 ducks (if the operation uses a liquid manure handling system);

and

2. Either one of the following conditions are met:

(i) Pollutants are discharged into waters of the state through a man-made ditch or other similar man-made device; or

(ii) Pollutants are discharged directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation.

Designated CAFOs: Any AFO facility or lot smaller than a large CAFO can be designated as a CAFO by the department if:

1. Either one of the following conditions are met:

(i) Pollutants are discharged into waters of the state through a man-made ditch or other similar man-made device; or

(ii) Pollutants are discharged directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation;

and

2. It is determined to be a significant contributor of pollutants to waters of the state. A "significant contributor of pollution" includes, but is not limited to, a facility directly discharging pollutants that causes or contributes to a violation of state surface water quality standards ([chapter 173-201A WAC](#)), state ground water quality standards, ([chapter 173-200 WAC](#)), or [chapter 90.48 RCW](#), (water pollution control).

If you have special accommodation needs or require a copy of the permit and fact sheet in an alternative format, please contact Kevin Hancock at (360) 407-6283. If you are a person with a speech or hearing impairment, call 711 or 800-833-6388 for TTY.